

08-27-01

S610 Re. CT/PTO 24 AUG 2001

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

5/1252

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/914323

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. PCT/EP00/01496	INTERNATIONAL FILING DATE 24/02/2000	PRIORITY DATE CLAIMED 27/02/1999
TITLE OF INVENTION Bicyclic heterocycles, pharmaceutical compositions containing these compounds, their use and processes for preparing them		
APPLICANT(S) FOR DO/EO/US Himmelsbach, F. et al		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

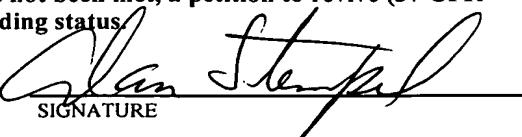
1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
14. A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:

Initial Information Data Sheet

Certified Priority Documents: US 60/149,329, filed 17/08/1999; DE 199 08 567.6, filed 27/02/1999;
DE 199 11 366.1, filed 15/03/1999; DE 199 28 306.0; filed 21/06/1999; DE 199 54 816.1, fil d
13/11/1999

U.S. APPLICATION NO. OR KNOWN AS (37 CFR 1.5)	INTERNATIONAL APPLICATION NO. PCT/EP00/01496	ATTORNEY'S DOCKET NUMBER 5/1252			
21. <input type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY			
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):					
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....		\$1000.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$860.00			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO		\$710.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$690.00			
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00			
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 860.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 130.00			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	52 - 20 =	32	x \$18.00	\$ 576.00	
Independent claims	4 - 3 =	1	x \$80.00	\$ 80.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$ 270.00	
TOTAL OF ABOVE CALCULATIONS =			\$ 1,916.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		+ \$ 0.00			
SUBTOTAL =		\$ 1,916.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0.00			
TOTAL NATIONAL FEE =		\$ 1,916.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 0.00			
TOTAL FEES ENCLOSED =		\$ 1,916.00			
		Amount to be refunded:	\$		
		charged:	\$		
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>02-2955</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2955</u> . A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Robert P. Raymond					
Boehringer Ingelheim Corporation					
900 Ridgebury Road, P. O. Box 368					
Ridgefield, CT 06877-0368					
 SIGNATURE Alan R. Stempel NAME 28,991 REGISTRATION NUMBER					
08/24/2001					